

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:  
UNITED STATES OF AMERICA : S14 11 Cr. 1091 (VM)  
:  
- against - : DECLARATION IN  
:  
PETER LESNIEWSKI, : SUPPORT OF DEFENDANT  
:  
Defendant. : DR. PETER LESNIEWSKI'S  
: MOTION FOR RELEASE  
: PENDING APPEAL  
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THOMAS ANTHONY DURKIN, pursuant to 28 U.S.C. §1746, hereby affirms under  
penalty of perjury:

1. I am a lawyer licensed to practice in the State of Illinois, who along with Joshua L. Dratel, represents Peter J. Lesniewski in the above-captioned case. I make this Declaration in support of Dr. Lesniewski's Motion for Release Pending Appeal.

2. The legal and factual bases for this motion are set forth in the accompanying Memorandum of Law, and it is respectfully requested that the facts set forth therein be incorporated by reference in this Declaration.

WHEREFORE, it is respectfully requested that the Court grant Dr. Lesniewski's motion for release pending appeal in its entirety, and for any such other and further relief as this Court deems just and proper.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. 28 U.S.C. §1746. Executed February 14, 2014.

/s/ Thomas Anthony Durkin  
THOMAS ANTHONY DURKIN